

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TEXARKANA DIVISION

REGINALD REECE §
v. § CIVIL ACTION NO. 5:09cv144
RISSIE OWENS, ET AL. §

MEMORANDUM ADOPTING REPORT AND RECOMMENDATION
OF THE UNITED STATES MAGISTRATE JUDGE
AND ENTERING FINAL JUDGMENT

The Plaintiff Reginald Reece, proceeding *pro se*, filed this lawsuit under 42 U.S.C. §1983 complaining of alleged deprivations of his constitutional rights. This Court ordered that the matter be referred to the United States Magistrate Judge pursuant to 28 U.S.C. §636(b)(1) and (3) and the Amended Order for the Adoption of Local Rules for the Assignment of Duties to United States Magistrate Judges.

Reece's lawsuit complained that he had been twice wrongfully held in confinement on parole revocation warrants issued by the Texas Board of Pardons and Paroles, from October of 2006 to July of 2007 and then again from November of 2007 to October of 2008, for a five-year prison sentence which had been discharged in 1994. He also complained that the parole officers in Bowie County refused to obey an order from the Arkansas Interstate Compact Commission to release him so that he could continue on his parole supervision, but instead kept him confined on the invalid revocation warrants.

The Defendants Brad Livingston, Nathaniel Quarterman, and the Texas Board of Pardons and Paroles were dismissed from the lawsuit, and the remaining Defendants, Amber McChuin, Rissie Owens, Cornelius Moore, and Craig Biggar were ordered to answer the lawsuit. These Defendants

answered the lawsuit and filed a motion for summary judgment, to which Reece did not file a response.

After review of the pleadings and the competent summary judgment evidence, the Magistrate Judge issued a Report on June 8, 2011, recommending that the motion for summary judgment be granted and that the lawsuit be dismissed. A copy of this Report was sent to Reece at his last known address, return receipt requested, but no objections have been received; accordingly, he is barred from *de novo* review by the district judge of those findings, conclusions, and recommendations and, except upon grounds of plain error, from appellate review of the unobjected-to factual findings and legal conclusions accepted and adopted by the district court. Douglass v. United Services Automobile Association, 79 F.3d 1415, 1430 (5th Cir. 1996) (*en banc*).

The Court has carefully reviewed the pleadings and evidence in this cause, as well as the Report of the Magistrate Judge. Upon such review, the Court has concluded that the Report of the Magistrate Judge is correct. It is accordingly

ORDERED that the Report of the Magistrate Judge is ADOPTED as the opinion of the District Court. It is further

ORDERED that the Defendants' motion for summary judgment (docket no. 31) is GRANTED and that the above-styled civil action be and hereby is DISMISSED with prejudice. It is further

ORDERED that any and all motions which may be pending in this civil action are hereby DENIED.

SIGNED this 28th day of July, 2011.



DAVID FOLSOM
UNITED STATES DISTRICT JUDGE